



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TJR  
Docket No: 3317-99  
29 October 1999

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 October 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 4 February 1983 at the age of 19. Your record reflects that on 17 August 1983 you received nonjudicial punishment (NJP) for two incidents of possession of drug paraphernalia and use and possession of marijuana. The punishment imposed was restriction and extra duty for 45 days and forfeitures totalling \$572. Shortly thereafter, on 20 October 1983, you received NJP for possession of drug paraphernalia. The punishment imposed was restriction and extra duty for 30 days and forfeitures totalling \$572.

Subsequently, on 21 November 1983, the discharge authority directed your commanding officer to issue you an other than honorable discharge by reason of misconduct due to drug abuse. On 23 November 1983 you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, good post service conduct, and your contentions that you would like your discharge upgraded to honorable. The Board also considered your numerous letters of

recommendations and character references. However, the Board concluded these factors were not sufficient to warrant a change in the characterization of your discharge given your repeated drug related misconduct. Given all the circumstances of your case, the Board concluded your discharge was proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director